

SMITH HOPEN

INTELLECTUAL PROPERTY LAW

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FAX

INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Thomas E. Toner
Attn:	Tracy Ann Vivlemore	Client:	1372.138.PRC
Fax:	(571) 273-8300	Pages:	4 including coversheet
Phone:	(571)272-2914	Date:	September 27, 2006
Re:	USSN 10/711,101	CC:	University of South Florida (Assignee)

Urgent For Review Please Comment Please Reply Please Recycle

Dear Examiner Vivlemore:

In response to the non-final office action mailed August 28, 2006, we enclose the following:

1. Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated September 27, 2006 (1 page); and
2. Response to Election/Restriction Requirement (2 pages).

Very Respectfully,



Thomas E. Toner
 Reg. No. 57,422

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SEP 27 2006

Practitioner's Docket No. 1372.183.PRC

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: George Blanck et al.)
 Serial No.: 10/711,101) Art Unit: 1635
 Filed: 08/23/2004) Examiner: Tracy Ann Vivlemore
 For: OCT-1 as an Oncoprotein) Confirmation: 5100

Faxed to Central Fax at (571) 273-8300
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is a Response To Election/Restriction Requirement for this application.

STATUS

2. Applicant is an independent inventor.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.


SIGNATURE OF PRACTITIONER

Thomas E. Toner
 Smith & Hopen, P.A.
 180 Pine Avenue North
 Oldsmar, Florida
 (813) 925-8505

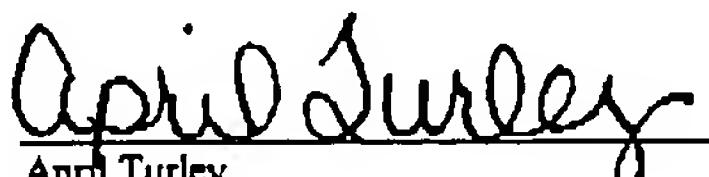
Reg. No.: 57,422
 Customer No.: 21,901

CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 1635, Attn: Tracy Vivlemore, (571) 273-8300 on September 27, 2006.

Dated: September 27, 2006



April Turley

(Amendment Transmittal—page 1)

SEP 27 2006

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 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Applicant responds to the nonfinal Examiner's action mailed August 28, 2006, having a shortened statutory period for response set to expire September 28, 2006 as follows:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Applicant elects to prosecute invention II, Claims 9 an 11-13, drawn to a method for treating a tumor in a subject by administering an Oct-1 inhibitor that inhibits Oct-1 mRNA function, classifiable in class 514, subclass 44.

REMARKS

If an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (813) 925-8505 is requested.

Very respectfully,

SMITH & HOPEN

By: 

Thomas E. Toner
 Reg. No. 57,422
 180 Pine Avenue North
 Oldsmar, Florida 34677
 (813) 925-8505
 Attorneys for Applicant

Dated: September 27, 2006

pc: University of South Florida (Assignee)

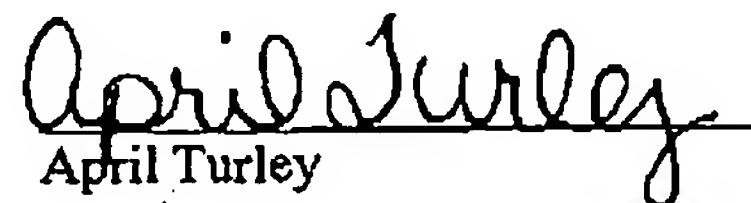
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SEP 27 2006

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Dated: September 27, 2006


April Turley